

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION OPIATE
LITIGATION**

THIS DOCUMENT RELATES TO:

All cases

MDL NO. 2804

Case No. 1:17-MD-2804

Honorable Dan Aaron Polster

**STATUS REPORT OF THE
SUN PHARMACEUTICAL INDUSTRIES FAMILY DEFENDANTS**

Pursuant to this Court’s Order Regarding Non-Litigating Defendants dated October 7, 2022 (Docket no. 4670), the Sun Pharmaceutical Industries Defendant Family (“Sun”) submits the following Status Report.

Sun has manufactured and sold only generic opioid medications under Abbreviated New Drug Applications approved by the Food and Drug Administration. Sun is a small participant in the opioid market and has never promoted or advertised these medications in the United States. Additionally, Sun did not begin to manufacture opioids until 2009. Although Sun has been named in a number of cases that are pending in this MDL, it has not been involved in any discovery that has taken place in the MDL thus far.

This Court established that plaintiffs may amend filed complaints via “short form” complaints to name as defendants manufacturers of “more than five percent (5%) of the market share of opioids distributed in the relevant county or county-equivalent in at least three of the nine years available in the ARCOS data[.]” (Docket no. 1106). Based on Sun’s review of available ARCOS data, Sun does not meet the required threshold for the vast majority of cases in which it is named in the MDL, including cases in which Sun has been named via the short-form-complaint procedure established by this Court. Further, Sun is named as a defendant by numerous localities where Sun’s market share is actually 0% in those locations. Finally, service of process as to Sun in

numerous cases was not properly effectuated and Sun reserves the right to object to lack of service and/or improper service in any case where it is named.

Attached hereto as Exhibit A is a list of every case in federal or state court in which a plaintiff asserts claims against Sun based on Sun's manufacture of opioid products, regardless of the status of service as to Sun in the case. Where service was not proper and/or is disputed as to Sun, the case names for those are italicized in the attached exhibit. Sun reserves all rights and defenses with respect to all cases listed on Exhibit A.

Dated: November 1, 2022

Respectfully submitted,

TROUTMAN PEPPER HAMILTON
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/s/ Michael G. Connelly

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2022, I electronically filed the foregoing Status Report with the Court using the CM/ECF system, which will send electronic notifications to all counsel of record.

/s/ Michael G. Connelly

*Counsel for Defendant
Sun Pharmaceutical Industries, Inc.*